

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MARTHA CECILIA FERNANDEZ-GARCIA,)	
)	
Petitioner,)	
)	
v.)	1:12cv1137
)	2:86CR228-3
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

ORDER

On September 24, 2013, the United States Magistrate Judge's Recommendation was filed, and notice was served on the parties pursuant to 28 U.S.C. § 636. Petitioner Martha Cecilia Fernandez-Garcia filed objections on October 7, 2013. (Doc. 12.)

The court has reviewed those portions of the Magistrate Judge's Recommendation to which Petitioner has objected and made a de novo determination. The court finds that the objections do not alter the substance of the Magistrate Judge's Recommendation, which is therefore adopted. In particular, Petitioner's more than 20-year delay, even if precipitated by her deportation from the country, did not prevent her from challenging her conviction and sentence earlier, and her delay is unreasonable.

IT IS THEREFORE ORDERED that the Government's Motion to Dismiss (Doc. 7) is GRANTED, and that this action is DISMISSED.

/s/ Thomas D. Schroeder
United States District Judge

November 6, 2013